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*Lead Counsel for Class Representatives  
and the Class*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p>THE PENNSYLVANIA AVENUE FUNDS, Individually And On Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>INXX INC., JACK KACHKAR, STEVEN HANDLEY, RIMA GOLDSHMIDT, JAY M. GREEN and BERKOVITS &amp; COMPANY, LLP,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 08-cv-06857-PKC</p>
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**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF SETTLEMENT, PLAN OF  
ALLOCATION AND LEAD COUNSEL'S APPLICATION FOR AN AWARD OF  
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

**PLEASE TAKE NOTICE THAT**, upon this motion and the accompanying Declaration of Plaintiffs' Lead Counsel David A.P. Brower in Support of Final Approval of Settlement, Plan of Allocation and Lead Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses, and the exhibits thereto; Plaintiffs' Memorandum of Law in Support of Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds; and Memorandum of Law in Support of Lead Counsel's Application for an Award of Attorneys' Fees and Reimbursement of Expenses, Lead Plaintiff, the Court-appointed class representatives in the above entitled securities class action, by his undersigned Lead Counsel, will move the Honorable P. Kevin Castel, United States District Judge for the United States District Court for the Southern District of New York, in Courtroom 12C at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on May 4, 2012, at 11:30 a.m., or as soon thereafter as they may be heard, for an Order: (i) granting, pursuant to Fed. R. Civ. P. 23(a) and (b)(3), final certification of a class consisting of all purchasers of Inyx, Inc. ("Inyx" or the "Company") securities on the NASDAQ between April 1, 2005 and July 2, 2007, inclusive (the "Class"), and excluding from that defendants Inyx, Jack Kachkar, Rima Goldschmidt, Jay M. Green, and Steven Handley; members of the immediate family of each of the individual defendants; any person who was an officer or director of Inyx during the Class Period, and his or her legal representatives, heirs, successors, or assigns; and any entity in which Defendants have or had a controlling interest, and any persons or entities who timely and validly request exclusion from the Class in accordance with the requirements set forth in the Notice of Proposed Settlement of Class Action (the "Notice"); (ii) finding that the Notice and summary notice in the forms approved by the Court was disseminated to Class members in the manners approved by the Court in the Preliminary Approval Order dated February 9, 2012, and that notice program satisfied the requirements of Fed. R. Civ. P. 23 and due process; (iii) granting final

approval, pursuant to Fed. R. Civ. P. 23(e) of the proposed settlement of the Action on the terms and conditions set forth in the Stipulation and Agreement of Settlement dated February 9, 2012 (the “Stipulation”), and entry of judgment thereon; (iv) granting final approval of the proposed plan of allocation of the proceeds of the settlement as set forth in the Notice to the Class; (v) granting Lead Counsel’s application for an award of attorneys’ fees in an amount equal to one third (33 1/3%) of the Settlement Amount (as defined in the Stipulation) as compensation for their services to the Class in the Action; (vi) granting Lead Counsel reimbursement of their out of pocket expenses incurred in the prosecution of the Action; and (vii) allowing the payment of interest on the fees and expenses awarded at the same rate as earned by the Settlement Fund (as that term is defined in the Stipulation) from the date of award until the date of payment.

Dated: April 27, 2012

Respectfully submitted,

**BROWER PIVEN**

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